

NOT INCLUDED IN
BOUND VOLUMES

PMMc
Portland, OR

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

LKQ FOSTER AUTO PARTS, INC.

and

Case 19-CA-164069

ANDREW G. BOBREK

ORDER APPROVING STIPULATION, GRANTING MOTION,
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the Board upon a joint motion by Respondent LKQ Foster Auto Parts, Inc., Charging Party Andrew G. Bobrek, and the General Counsel to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record.

On March 31, 2016, the General Counsel, through the Regional Director for Region 19, issued a complaint and notice of hearing alleging that, at all material times, the Respondent has maintained, as a nationwide policy, the LKQ Corporation – Mandatory Arbitration Agreement (MAA) and has required employees to sign the MAA as a condition of employment. The complaint further alleges that, by this conduct, the Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act, in violation of Section 8(a)(1) of the Act.¹

On August 26, 2016, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case

¹ In a Board settlement, approved by the Regional Director on July 14, 2016, the parties settled all other complaint allegations.

directly to the Board for issuance of findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C. for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which includes a stipulation of facts, joint Exhibits A through F, a statement of the issue presented, and statements of position by the Respondent, the Charging Party, and the General Counsel, is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C. on or before November 7, 2016, and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., October 17, 2016.

By direction of the Board:

Gary Shinnars

Executive Secretary